

72-690

January 25, 1972

Mr. Gene Mittelman
Minority Counsel
Office of Senator Javits
Washington, D.C. 20510

Dear Mr. Mittelman:

This is in response to the questions you raised with me concerning the relationship of Executive Order 11478 on equal employment opportunity to national security agencies.

Executive Order 11478 applies to all Executive Branch agencies, including the Central Intelligence Agency and the National Security Agency. Thus, the regulations adopted pursuant to that order which provide for investigation and hearings of complaints of discrimination are applicable to those agencies to the extent that they do not conflict with the laws regarding their establishment and operation.

FOIAB5

OGC

There is nothing to prohibit a complainant who appeals under the Commission's regulations issued under the Executive Order to take an adverse decision on that appeal into the courts. Whether the courts would accept it and what their attitude would be to the disclosure of information is a matter on which we are not in a position to judge.

FOIAB5

OGC

OGC Has Reviewed



Sincerely yours,

Assistant Executive Director

FOIAB5

OGC

25X1A

UNITED STATES
CIVIL SERVICE COMMISSION
WASHINGTON, D. C.

For your information.

FROM —
Irving Kator
Assistant Executive Director

SENDER WILL CHECK CLASSIFICATION TOP AND BOTTOM			
UNCLASSIFIED			
CONFIDENTIAL			
OFFICIAL ROUTING SLIP			
TO	NAME AND ADDRESS	DATE	INITIALS
1	OLC - Mr Maury		<i>g</i>
2	(cc DDS / D/Pers)		
3	OGC	STATINTL	
4	FEO - Mr [redacted]		
5	(IG)		
6	LLM		
ACTION		DIRECT REPLY	PREPARE REPLY
APPROVAL		DISPATCH	RECOMMENDATION
COMMENT		FILE	RETURN
CONCURRENCE		INFORMATION	SIGNATURE
Remarks:			
<p>Col White's suggestion looks good - instead of relying on Mr Kator's & his General Counsel's opinion alone - What think? -</p>			
FOLD HERE TO RETURN TO SENDER			
FROM: NAME, ADDRESS AND PHONE NO.			DATE
[redacted] ve Director			1 FEB 1972

STATINTL

UNCLASSIFIED		CONFIDENTIAL		SECRET	
OFFICIAL ROUTING SLIP					
TO	NAME AND ADDRESS		DATE	INITIALS	
1	Mr. William Colby				
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ACTION		DIRECT REPLY		PREPARE REPLY	
APPROVAL		DISPATCH		RECOMMENDATION	
COMMENT		FILE		RETURN	
CONCURRENCE		INFORMATION		SIGNATURE	
Remarks: <p style="text-align: center;">This is a copy of the letter which Irving Kator told me he would send over. It would seem to me that this leaves us in a situation where it is desirable for us to do what we can to ensure that either the law itself or at least the legislative history and conference report clearly indicate that it is not intended that S. 2515 would amend specific legislation such as the National Security Act or the CIA Act.</p>					
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FROM: NAME, ADDRESS AND PHONE NO.				DATE	
L. K. White				31 Jan 72	
UNCLASSIFIED		CONFIDENTIAL		SECRET	